

September 30, 2004

VIA FIRST CLASS MAIL

Office of General Counsel
ATTN: Alva Smith
Federal Election Commission
999 E Street, NW-6th Floor
Washington, DC 20463

2004 OCT -5 A 10:58

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

RE: MUR 5492

Dear Ms. Smith:

By way of this letter you are hereby advised that I am amending the above captioned complaint, **MUR 5492**. I am including with this correspondence information that substantiates this request. Please refer to the enclosed document, which was included with the original filing. The enclosed document cites specifically a \$5,000.00 disbursement on June 28, 2004, to radio station KMJR/107.3. It is a reasonable assumption that these funds were used to pay for a commercial that aired during the pre-primary election season and in violation of the statute cited in the original complaint.

The following is a paraphrased script of the commercial that should be added to the original complaint. Please note that attempts to obtain a copy of the script from KMJR/107.3 were unsuccessful.

....."This is an African American Alert! This is Harold "Doc" Holiday. On August 3rd, we have an opportunity to send Emanuel Cleaver to Congress. He needs all African American votes. He deserves to go to Congress. His opponent is a "carpetbagger" and moved back to Kansas City less than one year ago. Get yo' momma, yo' daddy, yo' sister, yo' brother, yo' aunt, yo' uncle, yo' cousins, yo' baby's mamma's daddy and go to the polls & vote for Emanuel Cleaver....."

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Additionally, on Wednesday, September 29, 2004, a news story aired on KSHB-TV 41, during which Emanuel Cleaver was quoted stating....."I have spoken with the FEC (Federal Election Commission) and I expect the complaint to be dropped in two to three days." Because of the confidentiality and sensitivity of these matters, I am respectfully bringing this to the attention of the FEC. The interests and rights of citizens to participate in this process are very important and it is critical that the integrity of this procedure be respected. I appreciate your assistance in this matter and thank you, in advance, for your attention to the concerns addressed in this correspondence.

Sincerely,

Gale A Banks

Gale A. Banks

Enclosure

BAL:gab



M.D. Hickerson
Notary, Jackson County, Missouri

M.D. HICKERSON
Notary Public - State of Missouri
Jackson County
My Commission Expires: March 25, 2007

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